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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	Case No. CR 11-0939 RS
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	PROTECTIVE ORDER
v.)	
)	
CRAIG ALLEN OGANS,)	
a/k/a Byron Stuart Baker,)	
)	
Defendant.)	

STIPULATION

In preparation for the December 10, 2013 trial in this matter, the United States and the defendant in this action, through undersigned counsel, hereby stipulate and agree as follows:

1. The United States is prepared to produce to the defendant witness statements and reports governed by 18 U.S.C. § 3500, including grand jury testimony, in advance of trial.

2. Federal Rule of Criminal Procedure 6(e)(3)(E) provides that the Court “may authorize disclosure – at a time, in a manner, and subject to any other conditions that it directs – of a grand-jury matter: (i) preliminary to or in connection with a judicial proceeding.” The parties request that the Court issue an order authorizing such disclosure.

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1 3. The parties further request that this Court's Order Granting Amended Motion to Seal and
2 Redact Attachments to the October 10, 2012 Declaration of Inspector Pamela Hofsass dated December
3 26, 2012 be modified to permit the government to produce un-redacted copies of the exhibits to the
4 Hofsass Declaration. Production of these hitherto redacted materials is appropriate at this time to insure
5 a fair trial of this Indictment. Because there is an open homicide investigation by the San Francisco
6 Police Department (SFPD), the parties agree that any of the exhibits attached to the Hofsass Declaration
7 will continue to be filed under seal.

8 4. Possession of copies of the witness statements and other documents described herein
9 shall be limited to the defendant and his attorneys, including any investigators, paralegals, law clerks,
10 assistants, and other persons who are within the attorney-client privilege (hereinafter collectively
11 referred to as "members of the defense team"). The defendant, his attorneys, and members of his
12 defense team shall use the witness statements and other documents only for the purpose of defending
13 against the allegations in the Indictment. The defendant, his attorneys, and members of his defense team
14 shall not provide copies of the witness statements and other documents to other persons.

15 5. At the conclusion of this proceeding, including any appeal, the defendant, his attorneys,
16 and members of his defense team shall return to the government all copies of the witness statements and
17 other documents.

18 STIPULATED AND AGREED TO:

19 DATED: October 22, 2013

MELINDA HAAG
United States Attorney

/s/

ADAM A. REEVES
Assistant United States Attorney

24 DATED: October 22, 2013

TAMOR & TAMOR


/s/

RICHARD A. TAMOR, ESQ.
Counsel for Defendant
Craig Allen Ogans

ORDER

In light of the stipulation and agreement of the parties to this action, and good cause appearing, it is HEREBY ORDERED that the United States is authorized to disclose to the defendant the grand jury testimony of witnesses intended to be called at the trial and information redacted pursuant to the Court's December 26, 2012 Order. It is FURTHER ORDERED that use of any witness statements and other documents produced by the United States shall be restricted as set forth in Paragraphs 3, 4 and 5.

Dated: 10/22/13


HON. RICHARD SEEBORG
United States District Judge